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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/080,029 | 02/21/2002 | Behrouz Kavarizadeh | 058520.00002 | 7739 |

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| EXAMINER |
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WOOD, KIMBERLY T

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| ART UNIT | PAPER NUMBER |
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3632

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,029

Applicant(s)

KAWARIZADEH, BEHROUZ

Examiner

Kimberly T. Wood

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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This is the first office action for serial number 10/080,029, entitled Mouse Pad filed on February 21, 2002.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 8, 9-13, 14, 19, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Oliver 6,446,928. Oliver discloses a first portion (25), a second portion (26 or 43), a third portion (27, in regards to claim 15 its element (42), a fourth portion (41 see figure 4b), a storage section (46 or 30), a cutout (13), a foam material (column 3, lines 50ff), a plastic material, a cardboard material (a wood processed product), a rubber material (column, lines 5ff), a adhesive area (column, lines 20ff), a plurality of separate storage areas (column 3, lines 56ff). When the first portion (25) is made of

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rubber, foam, non-transparent plastic, or cardboard the storage section is only visible from a side.

Claims 1-6, 7, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Schriener 5,542,637. Schriener discloses a first portion (11), a second portion (wall 56 and wall opposite 56 closest to 52), a third portion (the bottom portion 58), a storage section (80), a first (vertical 90) and second extensions (30), a third extension (vertical 92), a fourth extension (extension between 90 and 92 making up space where number 58 is located, in regards to claim 3), fourth extension (horizontal extension between 92 and 30, in regards to claim 4). In regards to claim 5, the fourth extension is the horizontal extension between 90 and 92 making up the space where number 58 is located and the fifth extension is the horizontal extension between 92 and 30. In regards to claim 6, the second portion now includes 54 and the first extension is element 92 and the second extension is the extension that runs perpendicular to element 92 from edge of 30 to contact 92. In regards to claim 7, the second portion now includes (990, 56, wall opposite 56, and 3) therefore the first extension is element 92 and the second extension is the horizontal extension that runs from element 30 to element 90 being perpendicular thereto. The figures are not drawn to scale therefore it appears some of the extensions are

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on central axis. The third portion is rubber material (column 2, lines 46ff).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver 6,446,928 in view of Schriener 5,542,637 as disclosed above. Oliver discloses all of the limitations of the claimed invention except for the the first, second and third elongated, parallel extensions. It would have been obvious to one having ordinary skill in the art at the time of the invention to have modified Oliver to have made the storage section of different and separate storage compartments as taught by Schriener separated by first, second, and third elongate parallel extensions (90, 92, and 30 of Schriener) since such a modification is suggested in column 3, lines 57ff, of Oliver. The modification would allow for "two or more different


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and separate pockets for the storage of a plurality of computer disks" as suggested by Oliver.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Wood whose telephone number is (703) 308-0539. The examiner can normally be reached on Monday-Thursday from 7:30 AM to 5:00 PM. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168. The fax number for an Official Amendment or Response is (703) 872-9326. The fax number for an Official After Final Amendment or Response is (703) 872-9327.

Kimberly Wood
Primary Examiner
June 28, 2003


KIMBERLY WOOD
PRIMARY EXAMINER